



STATE OF CALIFORNIA

STATE BOARD OF EQUALIZATION

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Executive Director

No. 93/10

January 27, 1993

TO COUNTY ASSESSORS:

CHAPTER 1029 OF THE STATUTES OF 1992

SENATE BILL 1795

AMENDS INFORMATION REQUIRED ON ASSESSMENT NOTICES AND TAX BILLS

Chapter 1029 of the Statutes of 1992 (Senate Bill 1795) amends Sections 75.31 and 2611.6 of the Revenue and Taxation Code to require county assessors and other local tax officials to make more specific disclosures about the appeal process with supplemental assessment notices and property tax bills.

Supplemental Assessment Notice

Chapter 1029 added a new paragraph (e) to Section 75.31; the previous paragraphs (e) and (f) were relettered to (f) and (g). Section 75.31(e) now reads:

"(e) The notice shall advise the assessee of both of the following:

"(1) The requirements, procedures, and deadlines with respect to an application for the reduction of a base year value pursuant to Section 80, or the reduction of an assessment pursuant to Section 1603.

"(2) The criteria under Section 51 for the determination of taxable value, and the requirement of Section 1602 that the custodial officer of the local roll make the roll, or a copy thereof, available for inspection by all interested parties during regular office hours."

The change to Section 75.31(e) basically requires that the supplemental assessment notices advise the assessee of the procedures for appealing the base year value or the taxable value on the current assessment roll. It also requires that all notices divulge the custodian, location, and viewing hours of the assessment roll.

A copy of suggested wording to be added to the supplemental assessment notice is enclosed. This information must be included with or printed on all supplemental assessment notices sent on or after January 1, 1993.

Although the Board does not prescribe the wording to be used on the supplemental assessment notice, you must obtain our approval prior to using

your notice form. The assessment roll and notice forms checklist was recently sent to you with assessors' letter 92/80. Due to the wording change required by Chapter 1029, Item 6 of the checklist (notice of supplemental assessment) is not applicable. You must submit two copies of your proposed form for approval.

Property Tax Bill

Chapter 1029 also amends Section 2611.6 of the Revenue and Taxation Code, which requires specific information to be included with each property tax bill. The amendment added subdivision (i) to Section 2611.6 and reads:

"(i) Information specifying all of the following:

"(A) That if the taxpayer disagrees with a change in the assessed value as shown on the tax bill, the taxpayer has the right to an informal assessment review for the following year by contacting the assessor's office by March 1.

"(B) That if the taxpayer and the assessor are unable to agree pursuant to an informal assessment review on proper assessed value, the taxpayer has the right to file an application for reduction in assessment with the county board of equalization or the assessment appeals board, as applicable, during the period from July 2 to September 15, inclusive.

"(C) The address of the clerk of the county board of equalization or the assessment appeals board, as applicable, at which forms for an application for reduction may be obtained."

We have some concern that the language on the tax bill as required by Section 2611.6(i)(B) could be misconstrued by a taxpayer to believe that an assessment appeal could result in a reduction for an existing assessment where the time for appeal has already expired. Language such as the following would satisfy the requirements of Section 2611.6 and would be more informative for the taxpayer.

If you disagree with the assessed value as shown on this tax bill, you have a right to an informal assessment review for the following year. To obtain such a review, contact the assessor's office at [address and telephone number] by March 1. If, pursuant to the review, you and the assessor do not agree on the proper assessed value, you have the right to file an application for reduction in assessment for the following year. The application must be filed with the [county board of equalization/assessment appeals board] during the period from July 2 to September 15, inclusive.

Since neither you nor the Board of Equalization prescribes the language to be included with the property tax bills, we suggest you assist your tax collector in developing language that will provide the required information in a manner that is understandable to the taxpayers. We also

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anticipate that the State Controller will provide advice to tax collectors on the amendment to Section 2611.6.

You should inform your staff that taxpayers may request "an informal assessment review" or claim their "right to an informal assessment review." Although the term "informal assessment review" is not mentioned anywhere in the Revenue and Taxation Code except in Section 2611.6, this section appears to give the taxpayer the right to an informal assessment review. We suggest your staff add to the appraisal file a notation such as "Section 2611.6 review [date]" when discussing the assessment with a taxpayer who requests such a review.

Please contact Bill Minor for questions relating to forms approval or our Real Property Technical Services Unit for other questions or comments at (916) 445-4982.

Sincerely,



Verne Walton, Chief
Assessment Standards Division

VW:sk
Enclosure

SUGGESTED WORDING TO BE ADDED TO
SUPPLEMENTAL ASSESSMENT NOTICE

Your rights to appeal any assessment are as follows:

Supplemental Assessment

You must file an application for reduced assessment no later than 60 days from the date of mailing of this notice.

Base Year Value

You must file an application for reduced assessment during the regular equalization period, between July 2 through September 15, inclusive, for the year in which the base year value assessment was initially placed on the assessment roll or in any of the following three assessment years.

Current Assessment

You must file an application for reduced assessment:

1. Between July 2 through September 15, inclusive, of the current fiscal year; or
2. If the notice described in Section 619 is not received within 15 days prior to September 15, within 60 days from either the day you received the notice or the day of the mailing of the tax bill, whichever is earlier, along with an affidavit declaring that the notice was not received timely; or
3. Within 12 months following the month of notification of the assessment, if you and the assessor agree that there was an error in the exercise of the assessor's judgment in determining the full cash value of the property and a written stipulation is filed according to Section 1607.

The taxable value of real property on the local roll shall be the lesser of:

1. The factored base year value of the property.
2. The current market value of the property.
3. The factored base year value or the current market value of the land plus the factored base year value or the current market value of the improvements if the property was damaged by a calamity and the county has not adopted a Section 170 ordinance.
4. The assessed value as determined according to Section 170 if a county has adopted a Section 170 ordinance.

The custodial officer of the local roll shall make the roll or a copy available for inspection during regular office hours.